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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 AUSTIN VALLEROY,

15 Defendant.

Case No. 1:21-po-00294-SAB

NOTICE OF CHANGED FINANCIAL  
CONDITIONS PURSUANT TO 18 U.S.C.  
§ 3573(D)(3); STIPULATION TO MODIFY  
CONDITIONS OF PROBATION; ORDER

DATE: Jan. 19, 2023 (Probation Review Hrg.)  
TIME: 10:00 a.m.  
JUDGE: Hon. Stanley A. Boone

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18 **NOTICE IS HEREBY GIVEN** pursuant to 18 U.S.C. § 3573(d)(3) that Defendant Austin  
19 Valleroy has experienced a material change in his economic circumstances that has affected his  
20 ability to pay the fine ordered by the Court of \$500 along with a \$10 special assessment and \$30  
21 processing fee. Accordingly, the parties, through their respective counsel stipulate to modify the  
22 terms of Mr. Valleroy's probation as set forth below.

23 On March 17, 2022, the Court sentenced Mr. Valleroy to a term of probation, currently set  
24 to expire on March 17, 2023. ECF. No. 8. As a condition of probation, the Court ordered that Mr.  
25 Novak pay a \$500 fine, \$10 special assessment, and \$30 processing fee, for a total financial  
26 obligation of \$540, to be paid by June 30, 2022. *Id.*

27 At the time of sentencing, Mr. Valleroy was working 40 hours a week, earning \$14.50 an  
28 hour. His job site was approximately 20 miles away each way, and he was required to travel back  
and forth every day. Since sentencing, the price of gasoline and other household goods has

1 increased dramatically across the country and it was costing Mr. Valleroy approximately \$20 a  
2 day just to travel to work and back. Because Mr. Valleroy could not afford to spend a significant  
3 portion of his paycheck on gasoline, he changed his employment to a local employer. While he is  
4 making more money, approximately \$15 an hour, he is working fewer hours (approximately 32  
5 hours), although he anticipates that he in the near future he will be allowed to resume working 40  
6 hours a week. Mr. Valleroy also incurred a number of additional, unexpected bills, moving into  
7 his own apartment. With these two events, Mr. Valleroy has simultaneously faced a loss of  
8 income and an increase in expenses. Fortunately, Mr. Valleroy will be in a better financial  
9 position soon once he has paid off these additional expenses and he is permitted to resume  
10 working 40 hours a week at a higher hourly wage.

#### 11 **STIPULATION**

12 In acknowledgement of these material changes in Mr. Valleroy's economic  
13 circumstances, it is hereby stipulated between the parties, through their respective counsel of  
14 record, pursuant to 18 U.S.C. § 3563(c) and Federal Rule of Criminal Procedure 32.1(c), that  
15 Condition #4 of Mr. Valleroy's unsupervised probation be modified to allow him until August  
16 31, 2022 to pay the total financial obligation of \$540. All other terms not in conflict will remain  
17 in full force and effect.

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**ORDER**

IT IS HEREBY ORDERED that the defendant, Austin Valleroy, has until August 31, 2022 to pay the total financial obligation previously imposed in this case of \$540. All other conditions not in conflict remain in full force and effect.

IT IS SO ORDERED.

Dated: May 31, 2022



UNITED STATES MAGISTRATE JUDGE